



EXHIBIT

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARY L. WHITE,) Civil Action No.: 00-CV-2466
Plaintiff,) Judge Donald E. Ziegler
v.) Magistrate Judge Mitchell
SHAYEN A. GEORGE, M.A.) MC 03-49
Defendant.	

DEFENDANT'S MOTION FOR PROTECTIVE ORDER AND MOTION TO QUASH SUBPOENAS

Defendant, Shayen A. George, M.A. ("George"), by and through his duly appointed counsel, METZ LEWIS LLC, files the following Motion for Protective Order and Motion to Quash Subpoenas pursuant to Rules 26 and 45 of the Federal Rules of Civil Procedure:

- 1. The Plaintiff in this case, Mary L. White ("White"), has caused five Subpoenas to be served upon a number of non-parties, all surrounding a company called Psychology Support Systems, LLC ("PSS"). A copy of those Subpoenas is attached hereto as Exhibits 1-5.
- 2. Pursuant to Federal Rule of Civil Procedure 26(c), upon motion by a party and for good cause shown, the Court may make any Order which justice requires to protect a party or a person from annoyance, embarrassment, oppression or undue burden or expense. *See* F.R.C.P. 26(c).
- 3. Similarly, pursuant to Federal Rule of Civil Procedure 45(c), a Court may quash or modify a subpoena to protect a person subject to or affected by the subpoena if it subjects a

All of the subpoenas relate to PSS and are directed either at other versions of the PSS name, prior corporations that no longer exist, or the Jones Gregg law firm.

person to an undue burden or requires the disclosure of privileged or other protected material, trade secrets or other confidential research, development, or commercial information. See F.R.C.P 45(c).

- 4. While the party resisting discovery ordinarily bears the burden of establishing lack of relevancy, the party seeking discovery must also demonstrate a real and practical need for the information sought. *See Richard McCurdy v. Wedgewood Capital Management Co., Inc.*, 1998 U.S. Dist. LEXIS 18875, Civil Action No. 97-4304 (E.D. Pa. November 16, 1998); *Consolidated Rail Corp. v. United* States, 812 F.2d 1444, 1463 (3rd Cir. 1987). In this case, the Subpoena in question is designed solely to further harass George.
- 5. Further, given that the subpoenas are directed at non-parties, it is important to note that said non-parties are entitled to a heightened protection. *In Re: Letters Rogatory*, 144 F.R.D. 272 (E.D. Pa. 1992); *Siegel*, Practice Commentary (45-20) Duty to Avoid "Undue Burden" on Subpoenaed Person; Sanctions for Abuse, 28 U.S.C.A., Fed.R.Civ.P. 45.
- 6. The documents requested by the subpoenas have no relevance to this case. Plaintiff has alleged in her Complaint the existence of a purported oral agreement between her and Shayen George regarding the creation of Associates in Child Guidance, Inc. ("ACCG"), a nonprofit corporation, and its relationship with Associates in Child Guidance ("ACG"), a for profit corporation. PSS is not a party, and its only connection to this case is that it has a contract with ACCG to provide computer services. Documents relating to PSS's incorporation, organization, conducting of business, management and officers, intellectual property and advertisements, all of which are sought via the subpoenas, have no bearing on whether any such oral agreement exists or the damages arising from any alleged breach of such oral agreement.

8. Given the lack of relevance of the documents requested, Defendant George moves for a protective order and/or that the subpoenas be quashed.

WHEREFORE, for all of the foregoing reasons, Defendant Shayen A. George, M.A., respectfully moves this Court for an Order granting its Motion for Protective Order and Motion to Quash Subpoena.

Respectfully submitted,

METZ LEWIS LLC

Steven Petrikis, Esquire

Pa. I.D. No.: 34426

Michael P. Robic II, Esquire

Page 3 of 31

Pa. I.D. No.: 75578

11 Stanwix Street, 18th Floor Pittsburgh, PA 15222

(412) 918-1100

Attorneys for Defendant:

Shayen A. George, M.A.

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Issued by the UNITED STATES DISTRICT COURT

WESTERN DIST	RICT OF PENNS	YLVANIA
MARY L. WHITE, V.	1	IN A CIVIL CASE
SHAYEN A. GEORGE, M.A.	person served to ap	valid, and imposes no duty on the pear anywhere, if it was not serve
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PLACE OF TESTIMONY		COUNTROOM
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ADOVE CASE. PLACE OF DEPOSITION YOU ARE COMMANDED to produce and permit inspection date, and time specified below (list documents or objects): See attached Exhibit "A."	n and copying of the followin	oate and time
FLACE 272 East Connelly Boulevard, Sharon, F	PA 16146	DATE AND TIME February 7, 2003 10:00 a.m.
YOU ARE COMMANDED to permit inspection of the follow	wing premises at the date a	nd time specified below.
PREMISES		DATE AND TIME
Any organization not a party to this suit that is subpoenaed firectors, or managing agents, or other persons who conselesignated, the matters on which the person will testify. Feder	nt to testify on its behalf, a	ind may set forth, for each person
Stoon Attorney	n for Plaintiff	1/10/03
SUING OFFICER'S NAME ADDRESS AND PHONE NUMBER vid S. Bloom. Esquire Feldstein, Grinberg		PA 15210 (412) 263-610

⁽See Rule 46, Federal Rules of CMI Procedure, Parts C & D on Reverse)

If action is pending in district other than district of issuance, state district under case number.

		OOF OF SERVICE	
	DATE 1/10/03	PLACE 272 East Connelly Boulevard Sharon, PA 16146 Gertified mail, Feturn receipt rec MANNER OF SERVICE	luest ed
David S. Bloom, E	squire	Attorney	
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Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance:

(ii) requires a person was is not a party or an officer of a party to travel to a place more that 100 miles from the place where that person resides, is employed or regularly transacte business in

person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or (iii) requires disclosure of privileged or other protected

matter and no exception or waiver applies, or (iv) subjects a person to undue burden.

(B) If a subpoena

The confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or 'subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARY L. WHITE,

CIVIL

Plaintiff.

CHIEF JUDGE ZIEGLER
MAGISTRATE JUDGE MITCHELL

VS.

Civil Action No. 00-2466

SHAYEN A. GEORGE, M.A.,

JURY TRIAL DEMANDED

Defendant.

EXHIBIT "A" TO SUBPOENA

To: PSYCH SUPPORT SYSTEMS 272 EAST CONNELLY BLVD. SHARON, PA 16146

DOCUMENTS TO BE PRODUCED

The words "Document" or "Documents" are used in their customary broad sense as set forth in the Federal Rules of Civil Procedure and includes without limits on all written, printed, recorded or graphic matter, photographic matter or sound reproductions, however produced or reproduced, in the actual or constructive possession, custody, care or control of the Defendant, his agents, employees, representatives and attorneys, or any of them, and/or other third parties as designated herein, and whether or not now in existence, including, but not limited to originals or copies (where originals are unavailable or where the copy differs in any respect from the original) including, without limiting the generality of the foregoing, letters, correspondence, notes, tapes, microfilms, telegrams, notes and sound recordings, minutes of directors' meetings and of committee meetings, minutes of all other types of meetings, magnetic tapes, computer discs of any size, CDs, computer hard drives, Internet accounts, e-mails, PDAs (personal digital assistants or handheld computers), network or computer

servers, memoranda of all types, inter-office communications, studies, summaries, analyses, reports, opinions, offerings, solicitations, and results of investigations.

Further, the words "Document" or "Documents" are intended to refer to any medium by which information is recorded including "papers" of any kind or character, photographs and any method or medium by which information is utilized by computers of any size or devices which utilize computer processing chips and/or megabytes.

- 1. All documentation regarding the incorporation of PSYCH SUPPORT SYSTEMS.
- -2. All documentation regarding the conducting of business of PSYCH SUPPORT SYSTEMS from 1999 to the present.
- All documentation of PSYCH SUPPORT SYSTEMS regarding sources of income from 1999 to the present.
- 4. All documentation of PSYCH SUPPORT SYSTEMS regarding sources of income from Associates in Counseling and Child Guidance, Inc. from 1999 to the present.
 - 5. All documentation of PSYCH SUPPORT SYSTEMS regarding the management and officers of PSYCH SUPPORT SYSTEMS from 1999 to the present.
- 6. All documentation of PSYCH SUPPORT SYSTEMS regarding trademark, servicemark and/or copyright applications, filings and/or claims from 1999 to the present.
- 7. All documentation of PSYCH SUPPORT SYSTEMS regarding listings and/or advertisements in any electronic or printed media from 1999 to the present.

Page 2

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Issued by the UNITED STATES DISTRICT COURT

WESTERN	DISTRICT OF	PENNSYLVAN	IA
	District of —		
MARY L. WHITE,	SI	UBPOENA IN	A CIVIL CASE
SHAYEN A. GEORGE	CA	SE NUMBER: 0	0-2466
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YOU ARE COMMANDED to appear at the plants are	lace, date, and time specifie	d below to testify at	the taking of a deposition in the
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YOU ARE COMMANDED to permit inspection	on of the following premises	at the date and time	e specified below.
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420 BOULE	vard of the Allies,	rittspurgu, ra	15219 (412) 263-6105

¹ If action is pending in district other than district of issuance, state district under case number.

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David S. Bloom, Esquire	Attorney
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Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
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- (B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting the inspection and copying commanded.
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person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

Pittsburgh, PA 15219

Signature (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party. or

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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARY L. WHITE.

CIVIL

Plaintiff.

CHIEF JUDGE ZIEGLER
MAGISTRATE JUDGE MITCHELL

vs.

Civil Action No. 00-2466

SHAYEN A. GEORGE, M.A.,

JURY TRIAL DEMANDED

Defendant.

EXHIBIT "A" TO SUBPOENA

To: PSYCHOLOGY SUPPORT SYSTEMS 272 EAST CONNELLY BLVD. SHARON, PA 16146

DOCUMENTS TO BE PRODUCED

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servers, memoranda of all types, inter-office communications, studies, summaries, analyses, reports, opinions, offerings, solicitations, and results of investigations.

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00283415.1 Page 2

Issued by the UNITED STATES DISTRICT COURT

WESTERN	DISTRICT OF	PENNSILVANIA
MARY L. WHITE,		•
,	SU	JBPOENA IN A CIVIL CASE
V .		1 00 2466
SHAYEN A. GEORGE, M.A.	CAS	SE NUMBER: 1 00-2466
Jones, Gregg, Creehan & Gerac TO: 411 Seventh Avenue, Suite 120 Pittsburgh, PA 15219-1905 Attention: Richard B. Sandow YOU ARE COMMANDED to appear in the Ur the above case.	person s together mileage. anyone to expense.	bpoena is invalid, and imposes no duty on the served to appear anywhere, if it was not served to appear anywhere, if it was not served to with the fees for one day's attendance are. FURTHER, this subpoena imposes no duty of the produce documents or things at his or her own. The place, date, and time specified below to testify
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	n, Grinberg, Stein & evard of the Allies,	

PROOF	F OF SERVICE
DATE 1/10/03	PLACE 411 Seventh Avenue, Suite 1200
	Pittsburgh, PA 15219-1905
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David S. Bloom, Esquire	Attorney
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	428 Boulevard of the Allies

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

CONTRACT OF C

· . Other.

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Pittsburgh, PA 15219

(B) If a subpoena

ADDRESS OF SERVER

- (I) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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CIVIL

Plaintiff.

CHIEF JUDGE ZIEGLER
MAGISTRATE JUDGE MITCHELL

VS.

Civil Action No. 00-2466

SHAYEN A. GEORGE, M.A.,

JURY TRIAL DEMANDED

Defendant.

EXHIBIT "A" TO SUBPOENA

To:

JONES, GREGG, CREEHAN & GERACE, LLP 411 SEVENTH AVENUE, SUITE 1200

PITTSBURGH, PA 15219-1905

ATTN: RICHARD B. SANDOW, ESQUIRE

DOCUMENTS TO BE PRODUCED

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servers, memoranda of all types, inter-office communications, studies, summaries, analyses, reports, opinions, offerings, solicitations, and results of investigations. Further, the words "Document" or "Documents" are intended to refer to any medium by which information is recorded including "papers" of any kind or character, photographs and any method or medium by which information is utilized by computers of any size or devices which utilize computer processing chips and/or megabytes.

- All documentation regarding the incorporation of PSYCHOLOGY 1. SUPPORT SERVICES, LLC, PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC, PSYCH SUPPORT SYSTEMS and **PSYCHOLOGY SUPPORT SYSTEMS.**
- All documentation regarding the organization of PSYCHOLOGY 2. SUPPORT SERVICES, LLC, PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC, PSYCH SUPPORT SYSTEMS and **PSYCHOLOGY SUPPORT SYSTEMS from 1999 to the present.**
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- All documentation regarding the management and officers of 4. PSYCHOLOGY SUPPORT SERVICES, LLC, PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC, PSYCH SUPPORT SYSTEMS and PSYCHOLOGY SUPPORT SYSTEMS from 1999 to the present.
- All documentation of PSYCHOLOGY SUPPORT SERVICES, LLC, 5. PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC, PSYCH SUPPORT SYSTEMS and PSYCHOLOGY SUPPORT SYSTEMS regarding trademark, servicemark and/or copyright applications, filings and/or claims from 1999 to the present.*
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Issued by the UNITED STATES DISTRICT COURT

WESTERN	DISTRICT OF	PENNSYLV.	ANIA
	District of		
MARY L. WHITE		SUBPOENA IN	A CIVIL CASE
V. SHAYEN A. GEORGE, M.A.		CASE NUMBER: 1 00-	-2466
,			and imposes no duty on the
TO: Professional Employee M 272 East Connelly Boule Sharon, PA 16146	anagement Services, mil vard any	ether with the fees for eage. FURTHER, this	anywhere, if it was not served or one day's attendance and subpoena imposes no duty or ents or things at his or her own
YOU ARE COMMANDED to appear	in the United States District Co	ırt at the place, date, and	time specified below to testify in
the above case.			COURTROOM
PLACE OF TESTIMONY			
			DATE AND TIME
YOU ARE COMMANDED to appear	at the place, date, and time spo	ecified below to testify at	the taking of a deposition in the
*bove case.			DATE AND TIME
YOU ARE COMMANDED to produce date, and time specified below (list doc See attached Exhibit "A. PLACE 272 East Connelly Bouley	uments or objects):		DATE AND TIME February 7, 2002
			10:00 a.m.
YOU ARE COMMANDED to permit in	nspection of the following pren	nises at the date and tim	e specified below.
REMISÉS			DATE AND TIME
Any organization not a party to this sui lirectors, or managing agents, or other esignated, the matters on which the per	persons who consent to test	ify on its behalf, and m	ay set forth, for each person
ING OFFICER SIGNATURE AND TITLE (INDICATE) ATTORNE	Y FOR PLAINTIFF OR DEFENDANT)		DATE
Ward Solan	Attorney fo	r Plaintiff	1/10/03
	tein, Grinberg, Stein oulevard of the Allie		15219 (412) 263-6105

If action is pending in district other than district of issuance, state district under case number.

⁽See Rule 45, Federal Rules of CMI Procedure, Parts C & D on Reverse

	OF SERVICE
DATE 1/10/03	PLACE 272 East Connelly Boulevard Sharon, PA 16146
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Professional Employee Management Services, LI	C Certified mail Creturn receipt requeste
SERVED ON (PRINT NAME)	MANNER OF SERVICE
David S. Bloom, Esquire	Attorney
SERVED BY (PRINT NAME)	TITLE
	. 198 M. 独任 はIPA W. D. C. とした
	A CONTRACTOR OF THE CONTRACTOR
DECLARATIO	ON OF SERVER
I declare under penalty of perjury under the laws of contained in the Proof of Service is true and correct. Executed on 1/10/03	the United States of America that the foregoing information
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(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance:
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacte business in

person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

 (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or rnodify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or 'subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARY L. WHITE,

CIVIL

Plaintiff,

CHIEF JUDGE ZIEGLER
MAGISTRATE JUDGE MITCHELL

VS.

Civil Action No. 00-2466

SHAYEN A. GEORGE, M.A.,

JURY TRIAL DEMANDED

Defendant.

EXHIBIT "A" TO SUBPOENA

To: PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC 272 EAST CONNELLY BLVD. SHARON, PA 16146

DOCUMENTS TO BE PRODUCED

The words "Document" or "Documents" are used in their customary broad sense as set forth in the Federal Rules of Civil Procedure and includes without limits on all written, printed, recorded or graphic matter, photographic matter or sound reproductions, however produced or reproduced, in the actual or constructive possession, custody, care or control of the Defendant, his agents, employees, representatives and attorneys, or any of them, and/or other third parties as designated herein, and whether or not now in existence, including, but not limited to originals or copies (where originals are unavailable or where the copy differs in any respect from the original) including, without limiting the generality of the foregoing, letters, correspondence, notes, tapes, microfilms, telegrams, notes and sound recordings, minutes of directors' meetings and of committee meetings, minutes of all other types of meetings, magnetic tapes, computer discs of any size, CDs, computer hard drives, Internet accounts, e-mails, PDAs (personal digital assistants or handheld computers), network or computer

66-ARH Document 189-6 Filed 11/15/2005 Page 23 of 31

servers, memoranda of all types, inter-office communications, studies, summaries, analyses, reports, opinions, offerings, solicitations, and results of investigations.

Further, the words "Document" or "Documents" are intended to refer to any medium by which information is recorded including "papers" of any kind or character, photographs and any method or medium by which information is utilized by computers of any size or devices which utilize computer processing chips and/or megabytes.

- 1. All documentation regarding the incorporation of PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC.
- 2. All documentation regarding the conducting of business of PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC from 1999 to the present.
- 3. All documentation of PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC regarding sources of income from 1999 to the present.
- 4. All documentation of PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC regarding sources of income from Associates in Counseling and Child Guidance, Inc. from 1999 to the present.
- 5. All documentation of PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC regarding the management and officers of PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC from 1999 to the present.
- 6. All documentation of PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC regarding trademark, servicemark and/or copyright applications, filings and/or claims from 1999 to the present.
- 7. All documentation of PROFESSIONAL EMPLOYEE MANAGEMENT SERVICES, LLC regarding listings and/or advertisements in any electronic or printed media from 1999 to the present.

00283415.1 Page 2

Issued by the UNITED STATES DISTRICT COURT

WESTERN	DISTRICT OF	PENNSYLVANIA	
MARY L. WHITE	SUB	POENA IN A C	CIVIL CASE
V.		# NARED: 1 00-24	66
SHAYEN A. GEORGE, M.A.		WMOCK	
TO: Psychology Support Services, LI 272 East Connelly Boulevard Sharon, PA 16146	person ser together w mileage. F	ved to appear anywf ith the fees for one URTHER, this subpo	imposes no duty on the here, if it was not serve and day's attendance and bena imposes no duty or things at his or her own
YOU ARE COMMANDED to appear in the Unite the above case.	ed States District Court at the p	place, date, and time :	specified below to te stify i
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		O.	ATE AND TIME
	a data and time concilied be	alous to toetits, at the ta	
YOU ARE COMMANDED to appear at the place above case. PLACE OF DEPOSITION X YOU ARE COMMANDED to produce and permit date, and time specified below (list documents or See attached Exhibit "A."	it inspection and copying of t	he following documen	nts or objects at the place,
YOU ARE COMMANDED to produce and permidate, and time specified below (list documents or See attached Exhibit "A."	it inspection and copying of t objects):	he following document	nts or objects at the place,
YOU ARE COMMANDED to produce and permidate, and time specified below (list documents or See attached Exhibit "A."	it inspection and copying of the objects):	he following document	nts or objects at the place, E AND TIME E bruary 7, 2003 0:00 a.m.
YOU ARE COMMANDED to produce and permidate, and time specified below (list documents or See attached Exhibit "A." FLACE 272 East Connelly Boulevard, Sharon, E	it inspection and copying of the objects):	he following document February 1000	nts or objects at the place, E AND TIME E bruary 7, 2003 0:00 a.m.
YOU ARE COMMANDED to produce and permit date, and time specified below (list documents or See attached Exhibit "A." FLACE 72 East Connelly Boulevard, Sharon, E	it inspection and copying of the objects): PA 16146 of the following premises at the oppoence of the taking of a daylor consent to testify on its stify. Federal Rules of Civil P	the date and time special contents behalf, and may se	TE AND TIME E AND TIME ebruary 7, 2003 0:00 a.m. ecified below. E AND TIME

(See Rule 45, Federal Rules of CMI Procedure, Parts C & D on Reverse)

⁴²⁸ Boulevard of the Allies, Pittsburgh, PA 15219 (412) 263-6105

If action is pending in district other than district of issuance, state district under case number.

	;	
7	PROOF OF SERVICE	
	PLACE 272 East Connelly Boulevard Sharon, PA 16146	
Psychology Support Services, LLC:	Certified mair, fetulin fece.	ipt requested
SERVED ON (PRINT NAME)	MANNER OF SERVICE	
	·	
David S. Bloom, Esquire SERVED BY (PRINT NAME)	Attorney	
SERVED BY (PRINT NAME)	· · · · · · · · · · · · · · · · · · ·	
	. 10 192 e. 와는 UIM SN 196 는 스	
The second secon		
DI	DECLARATION OF SERVER	
I declare under penalty of perjury under the contained in the Proof of Service is true and contained in the Proof	he laws of the United States of America that the foregorrect.	joing information
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(B) If a subpoena

ADDRESS OF SERVER

Pittsburgh, PA 15219 ..

confidential research, development, or commercial information, or (ii) requires disclosure of an unretained expert's opinion or

information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any

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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARY L. WHITE,

CIVIL

Plaintiff.

CHIEF JUDGE ZIEGLER
MAGISTRATE JUDGE MITCHELL

VS.

Civil Action No. 00-2466

SHAYEN A. GEORGE, M.A.,

JURY TRIAL DEMANDED

Defendant.

EXHIBIT "A" TO SUBPOENA

To:

PSYCHOLOGY SUPPORT SERVICES, LLC

272 EAST CONNELLY BLVD.

SHARON, PA 16146

DOCUMENTS TO BE PRODUCED

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servers, memoranda of all types, inter-office communications, studies, summaries, analyses, reports, opinions, offerings, solicitations, and results of investigations.

Further, the words "Document" or "Documents" are intended to refer to any medium by which information is recorded including "papers" of any kind or character, photographs and any method or medium by which information is utilized by computers of any size or devices which utilize computer processing chips and/or megabytes.

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- All documentation of PSYCHOLOGY SUPPORT SERVICES, LLC regarding sources of income from Associates in Counseling and Child Guidance, Inc. from 1999 to the present.
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00283415.1 Page 2

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true and correct copy of the foregoing DEFENDANT'S MOTION FOR PROTECTIVE ORDER AND MOTION TO QUASH SUBPOENAS has been served via fax and first class U.S. Mail, postage pre-paid, this day of January 28, 2003, upon the following counsel of record:

Stanley M. Stein, Esquire
David Bloom, Esquire
Feldstein, Grinberg, Stein & McKee
428 Blvd. of the Allies
Pittsburgh, PA 15219

Richard B. Sandow, Esquire Jones, Gregg, Creehan & Gerace 411 Seventh Avenue, Suite 1200 Pittsburgh, PA 15219-1905

Mulay P. Phia

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARY L. WHITE,	
Plaintiff,))
v.	CIVIL ACTION NO.: 00-CV-2466
SHAYEN A. GEORGE, M.A.,	Judge Donald E. Ziegler
Defendant.	Magistrate Judge Robert C. Mitchell
ORDER O	F COURT
AND NOW, to wit, this day of	, 2003, upon consideration of
Defendant, Shayen A. George, M.A.'s Motion	for Protective Order and Motion to Quash
Subpoenas, it is hereby ORDERED, ADJUDGE	ED and DECREED that for good cause shown,
the same is GRANTED and the Subpoenas issu	ned by the Plaintiff to Psych Support Systems,
Psychology Support Systems, Jones Gregg Cree	ehan & Gerace, L.L.P., Professional Employee
Management Services, L.L.C. and Psychology Su	apport Services, L.L.C. are quashed.

LOCAL RULE 7.1 AND 37.1 CERTIFICATE

I, undersigned counsel for the Defendant, Shayen A. George, M.A., hereby certify to the Court that I have conferred and consulted with counsel for the Plaintiff with respect to the matters set forth in the attached Motion for Protective Order and Motion to Quash Subpoenas, and we have been unable to resolve the differences which exist. This conference took place via telephone on January 27, 2003.

Michael P. Robic II, Esquire